

REMARKS

In the final Office Action of September 22, 2004,¹ claim 29 was allowed but claims 1-7 and 30-34 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,517,004 ("*Good*"). Claims 1-28 and 30-34 were subsequently canceled by the Examiner, as indicated in the Notice of Allowability mailed November 7, 2005.

By this Amendment, Applicants add new claims 35-46, which include features similar to those of canceled claims 1-7 and 30-34. Claims 29 and 35-46 are therefore pending in this application. Applicants appreciate the allowance of claim 29 and address the new claims below.

Good fails to anticipate or render obvious new claims 35-46. With regard to independent claim 35, *Good* does not teach or suggest at least "an object identification system for producing object identification information for the objects, the object identification system including at least one scanner that is focused based on the orientations of the objects on the transport means," as claimed. The Examiner states that *Good* discloses "a package identification subsystem for identifying the package by reading [a] barcode affixed on the package using a barcode reader." Final Office Action at 2. The Examiner also states that *Good* discloses a "determination module . . . serving as orientation means." *Id.* at 3. Although *Good* discloses a package identification and measuring system, *Good* does not teach or suggest at least an object identification system "including at least one scanner that is focused based on the orientations of the objects on the transport means," as recited in claim 35.

¹ The final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether or not any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the final Office Action.

Indeed, *Good*'s system utilizes an "omni-directional holographic scanning tunnel" for reading bar codes on packages (col. 2, lines 8-20). *Good* explains that the scanning system scans

for bar coded symbols “regardless of the position of the [bar code symbol] on the ...product” (col. 28, lines 25-30). Instead of focusing at least one scanner based on the orientations of the objects on the transport means, as claimed, *Good*’s system merely uses “an arrangement” of laser scanners which “form a ‘tunnel’ scanning subsystem over and about the conveyor belt” to achieve “omnidirectional scanning performance” (col. 14, lines 16-26; col. 15, lines 37-44; see FIGS. 5A-9B). An omni-directional scanning tunnel, as described by *Good*, does not constitute an object identification system “including at least one scanner that is focused based on the orientations of the objects on the transport means,” as recited in claim 35.

Because *Good* does not teach or suggest each and every element of claim 35, *Good* does not support a rejection of claim 35 under § 102 or § 103. Claims 36-46 depend upon claim 35 and therefore require all of the features of claim 35. For at least reasons similar to those presented above in connection with claim 35, *Good* does not anticipate or render obvious claims 36-46.

Additionally, with regard to dependent claim 43, *Good* fails to teach or suggest “orientation determining means [for determining] an orientation of each object on the transport means using at least positional information associated with the transport means” and “a plurality of scanners that are simultaneously . . . focused based on the orientations of the objects on the transport means,” as claimed. In fact, in the final Office Action (see page 4), the Examiner conceded that *Good* fails to teach these features. For these additional reasons, *Good* does not anticipate or render obvious claim 43.

Applicants request the Examiner's reconsideration of the application in view of the foregoing, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this amendment and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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